

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY ARTEAGA,

Plaintiff,

No. CIV S-03-1004 FCD KJM P

vs.

EDWARD ALAMEIDA, Jr., et al.,

Defendants.

ORDER

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with an action filed pursuant to 42 U.S.C. § 1983. By order filed September 27, 2005, plaintiff's motion to file a second amended complaint was granted. Plaintiff has now filed a second amended complaint.

The amended complaint states a cognizable claim for relief under 42 U.S.C. § 1983 and 28 U.S.C. § 1915A(b). If the allegations of the amended complaint are proven, plaintiff has a reasonable opportunity to prevail on the merits of this action.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Service is appropriate for the following defendants: Peterson, Kopec, Malfi, Johnson, Boitano, Clement, Stone, Puig and Colon.

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1 2. The Clerk of the Court shall send plaintiff nine USM-285 forms, one
2 summons, an instruction sheet and a copy of the second amended complaint filed November 18,
3 2005.

4 3. Within thirty days from the date of this order, plaintiff shall complete the
5 attached Notice of Submission of Documents and submit the following documents to the court:

6 a. The completed Notice of Submission of Documents;

7 b. One completed summons;

8 c. One completed USM-285 form for each defendant listed in number 1
9 above; and

10 d. Ten copies of the endorsed second amended complaint filed November
11 18, 2005.

12 4. Plaintiff need not attempt service on defendants and need not request waiver of
13 service. Upon receipt of the above-described documents, the court will direct the United States
14 Marshal to serve the above-named defendants pursuant to Federal Rule of Civil Procedure 4
15 without payment of costs.

16 DATED: May 24, 2006.

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19 UNITED STATES MAGISTRATE JUDGE
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NOTICE OF SUBMISSION
OF DOCUMENTS

_____/

Plaintiff hereby submits the following documents in compliance with the court's
order filed _____:

1 completed summons form

9 completed USM-285 forms

10 copies of the 11/18/05
Amended Complaint

DATED:

Plaintiff